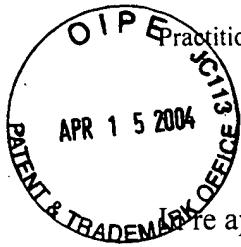


04-19-04



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: **John Mak**
Application No.: **Divisional of 10/276857**
Filed: **Herewith**
For: **High Propane Recovery Process And Configurations**

Commissioner for Patents
Washington, D.C. 20231

**PETITION TO MAKE SPECIAL FOR NEW APPLICATION
UNDER M.P.E.P. § 708.02, VIII**

1. Petition

Applicant hereby petitions to make this new application, which has not received any examination by the Examiner, special.

2. Claims

All the claims in this case are directed to a single invention. If the Office determines that all the claims presented are not obviously directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.

3. Search

A search has been made by the USPTO as International Search Authority and International Preliminary Examination Authority. A copy of the IPER is enclosed herewith

4. Copy of references

There is submitted herewith a copy of the references deemed most closely related to the subject matter encompassed by the claims.

Also attached is Form PTO-1449. (PTO/SB/08A and 08B)

5. Detailed discussion of the references

The Search report in the corresponding International application cited U.S. Pat. No. 4,705,549 to Sapper. The applicant amended the claims and the rejections were withdrawn in the IPER based at least in part on the following argument (which also applies to the present claims):

Sapper fails to teach that a distillation column overhead stream is separated into a fluid portion that provides reflux for the distillation column and a gaseous portion that is liquefied and provides the absorber reflux stream.

Moreover, Sapper teaches a C₃₊ hydrocarbon separation process in which a rectification column produces an overhead stream that is separated into a fluid portion and a gaseous portion, wherein the ***fluid portion is employed as a reflux stream for an absorber***, and wherein the ***gaseous portion is removed from the process*** as a residue gas (e.g., for combustion). There is no teaching, suggestion, or motivation in the Sapper reference to modify the C₃₊ hydrocarbon separation process such as to arrive at the configuration as presently claimed. In contrast, the ***present claims require that the gaseous portion of the distillation column overhead stream is employed as a reflux stream for the absorber while the fluid portion provides the reflux for the distillation column***, which is entirely inconsistent with Sapper's process.

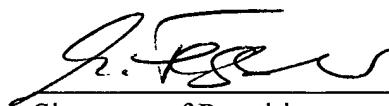
6. Fee

The fee required by 37 C.F.R. 1.17(i) is to be paid by:

Authorization is hereby given to charge the required fee for filing a Petition to Make Special, \$130.00 to deposit account 502191. In addition, please charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Date: 07/15/04



Signature of Practitioner

Reg. No.: 46,697
Tel. No.: 714-641-5100
Customer No.: 34284

Martin Fessenmaier, Ph.D.
Rutan & Tucker, LLP
P.O. Box 1950
Costa Mesa, CA 92628-1950